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House Bills 4356-9 (As Introduced)

Topic: Special Tool and Die Liens
Sponsor: Representatives Proos, Meadows, Kandrevas, and Meltzer
Co-sponsors: Representatives Walsh, Marleau, Gregory, Tyler, and Schmidt
Committee: House Judiciary

Date Introduced: February 19, 2009

Date of Summary: February 27, 2009

House Bill 4356 would amend the Special Tools Lien Act to allow a tool builder to take immediate possession of a tool if the tool builder has not been paid within 30 days after a notice of lien has been received by the customer and end user. Currently, the law creates a 90 day window between the notice and possession and does not specify "immediate possession". The bill also adds a motion allowed under court rules to the mechanisms by which a tool builder may enforce the right to immediate possession.

House Bill 4357 also amends the Special Tools Lien Act to include interest, attorney fees, court costs, and expenses related to the enforcement of the lien and sale in the amount paid to the special tool builder from the proceeds of a sale. The bill requires the court to award interest, reasonable attorney fees, court costs, and expenses related to enforcement of the lien and sale if the special tool builder prevails in an action to enforce a perfected lien.

House Bill 4358 and 4357 amend Public Act 155 of 1981 in an identical manner to the proposed amendments to the Special Tools Lien Act in House Bills 4356 and 4357.

The bills are tie-barred to bills in this package and to another bill that is apparently not yet introduced.

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